



August 30, 2010

VIA FEDERAL EXPRESS

Mr. Robert Werner, Enforcement Officer
Superfund Enforcement Assessment Section (6SF-TE)
US EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

RE: Response to CERCLA 104(e) Information Request regarding
San Jacinto River Waste Pits Superfund Site, Channelview, TX
SSID No. 06ZQ. EPA ID No. TXN000606611

Dear Sir:

CEMEX Construction Materials Pacific, LLC received the Environmental Protection Agency's CERCLA 104(e) Information Request ("EPA's Request") regarding the above referenced Superfund Site. In response to the EPA's Request, CEMEX Construction Materials Pacific, LLC offers the following response.

Question 1. *Identify the person(s) that provides answers to the questions below on behalf of CEMEX Construction Materials Pacific, LLC (CCMP).*

Response 1: James P. Ivey responds on behalf of CCMP.

Question 2. *Please identify the organization relationship between Parker Lafarge Inc., a Texas corporation (PLI) and CEMEX Construction Materials Pacific, LLC, a Delaware limited liability company? (See Enclosure 6, Entity History)*

Response 2: Parker Lafarge Inc., a Texas corporation, was an entity acquired in 1994 by Sunstar Acquisitions, Inc., a subsidiary of CEMEX. On September 12, 1994, Parker Lafarge, Inc. changed its name to Sunbelt Asphalt & Materials Inc. Effective January 1, 2000, Sunstar Acquisitions, Inc. merged into Sunbelt Asphalt & Materials Inc. The surviving entity changed its name to Cemex USA Construction Materials, Inc. On April 2, 2001, Cemex USA Construction Materials, Inc. amended its charter to change its name to Cemex Construction Materials, Inc. Later that year on September 30, Cemex Construction Materials, Inc. converted into CEMEX Construction Materials, L.P. On August 1, 2008, CEMEX Construction Materials, L.P. converted into CEMEX Construction Materials Pacific, LLC.

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Question 3. *Has PLI ever participated in any planning for dredging activities in the area of the San Jacinto River, along its south bank on the north side of the I-10 Bridge in Harris County, Texas (see Enclosure 5, Aerial photo)?*

Response 3: Since the acquisition of PLI by CEMEX in 1994, PLI has not engaged in planning for dredging activities in the area of the San Jacinto River, along its south bank on the north side of I-10 Bridge in Harris County, Texas.

Question 4. *Has PLI ever participated in any dredging activities in the area of the San Jacinto River, along its south bank on the north side of the I-10 Bridge in Harris County, Texas (see Enclosure 5, Aerial photo)?*

Response 4: Since the acquisition of PLI by CEMEX in 1994, PLI has not engaged in dredging activities in the area of the San Jacinto River, along its south bank on the north side of I-10 Bridge in Harris County, Texas.

Question 5. *If your answer to either question #3 or #4 is yes:*

Question 5 subpart A. Please provide copies of all documents in your possession that describe or contain any information that pertains to PLI's participation in planning and/or dredging operations in the above described area of the San Jacinto River.

Response 5A: NOT APPLICABLE.

Question 5 subpart B: Please describe the dredging activities that PLI participated in planning for and/or was involved with san dredging operations conducted in the above described area of the San Jacinto River. Your answer should include by not be limited to:

- 1) The period that actual dredging activities occurred.*
- 2) The name of any third party that directed or in any way controlled PLI's involvement with dredging operations in the above described area of the San Jacinto River.*
- 3) The location placement of any waste dredging material, i.e., disposition of "overburden" that resulted from sand dredging activities in the above described area of the San Jacinto River.*

Response 5B: NOT APPLICABLE.

Question 6. If your answer to the above questions #3 and #4 is no, please explain why a Letter dated November 20, 1998, from Houston International Terminal to Department of the Army (see Exhibit 5) identifies that, "The original permit was issued after much discussion during conferences and meeting with Parker Brothers. As you know Parker merged to form Parker Lafarge which set back our operations by at least a year. Only one (1) barge load was removed by Parker LaFarge."

Response 6: CCMP did not draft the Houston International Terminal letter to the Department of the Army dated November 20, 1998 (the "HIT Letter"), and cannot

explain what Houston International Terminal meant. At the time CEMEX acquired PLI, all of PLI's dredging equipment was idle and docked at another location. CCMP never operated any of the dredge equipment after the acquisition date. The HIT Letter, as it relates to PLI, concerns activities that occurred, if at all, before CEMEX's ownership. .

Question 7. If your answer to the above questions #3 and #4 is no, please explain why a Letter dated November 20, 1998, from Houston International Terminal to Department of the Army (see Exhibit 5) identifies that, "The original permit was issued after much discussion during conferences and meeting with Parker Brothers. As you know Parker merged to form Parker LaFarge which set back our operations by at least a year. Only one (1) barge load was removed by Parker LaFarge."

Response 7: This is a duplicate of Question #6 above. See Response 6 for response.

Question 8. Please identify the names of all dredging companies that you have reason to believe have at any time, participated in the planning of, and/or participated in, dredging operations in the above described area of the San Jacinto River.

Response 8: CCMP is not aware of any dredging companies planning or dredging the above described area of the San Jacinto River after CEMEX's acquisition of PLI.

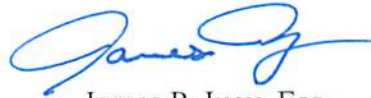
Question 9. Please describe the business purposes, the business differences, and the business relationships between the following entities:

- A. CEMEX Construction Materials Pacific, LLC, a Delaware limited liability company, current address and phone number being 920 Memorial City Way, Suite 100, Houston, Texas, phone # unknown, and*
- B. CEMEX Construction Materials South, LLC, a Delaware limited liability company, current address and phone number being 920 Memorial City Way, Suite 100, Houston, Texas, phone number 713 650-6200, and*
- C. CEMEX, Inc., a Louisiana corporation, current address and phone number being 920 Memorial City Way, Suite 100, Houston, TX, phone number 713-650-6200, and*
- D. CEMEX CEMENT, INC., a Delaware corporation, current address and phone number being 920 Memorial City Way, Suite 100, Houston, TX, phone number 713-650-6200, previously 840 Gessner Road, Houston, TX and*
- C.[sic] CEMEX Construction Materials, L.P., a Texas limited partnership, last known address and phone number being 840 Gessner Road, Houston, TX, phone number 713-650-6200.*

Response 9: CEMEX, Inc. is the parent company of the listed entities. Previously, Cemex Cement, Inc. operated 4 cement distribution facilities. Cemex Construction Materials L.P. operated ready mix concrete facilities and construction aggregate quarries. In August of 2008, CEMEX, Inc. restructured its operation on a regional basis. This regional restructure led to the conversion of CEMEX Construction Materials, LP into CEMEX Construction Materials Pacific, LLC and the creation of CEMEX Construction

Materials South, LLC. These two regional operating entities now operate all cement, ready mix concrete and construction aggregate quarries in their respective regions that were previously owned and operated by CEMEX, Inc., CEMEX CEMENT, INC. and CEMEX Construction Materials, LP.

Respectfully,



James P. Ivey, Esq.
Corporate Counsel

From: Origin ID: NQIA (713) 973-5005
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 Houston, TX 77024



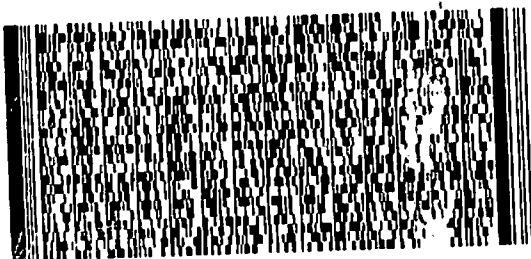
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